

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

DDR HOLDINGS, LLC,	)	
	)	
Plaintiff and Counterdefendant,	)	
	)	
vs.	)	CIVIL ACTION NO. 2-06-CV-42 (RG)
	)	
NATIONAL LEISURE GROUP, INC.;	)	
WORLD TRAVEL HOLDINGS, INC.;	)	
and DIGITAL RIVER, INC.,	)	
	)	
Defendants and Counterclaimants.	)	

**JOINT MOTION TO ADMINISTRATIVELY CLOSE CASE**

Plaintiff DDR Holdings, LLC (“DDR”) and Defendants National Leisure Group, Inc. (“NLG”) and World Travel Holdings, Inc. (“WTH”) hereby move the Court to administratively close this case.

As a result of mediation before former Judge Folsom, the parties recently entered into an agreement that resolves all issues in this case, provided that WTH completes payment to DDR. The parties will move to dismiss the case entirely when WTH’s payment to DDR is complete. The terms of the settlement are confidential, but, if the Court wishes, the parties stand ready to answer in chambers any questions about payment timing. This case was on appeal to the Federal Circuit Court of Appeals (No. 13-1505), but on February 6, 2015, the Federal Circuit issued its mandate, which restored jurisdiction to this Court. In his role as mediator, Judge Folsom suggested that, in view of the agreement terms, the parties move the Court to administratively close this case.

The above constitutes good cause for the Court to administratively close this case.

The parties also respectfully request that the Court vacate its December 9, 2014, Order (Docket No. 602) requiring defendants to submit a brief on what effect the Federal Circuit’s decision has on the jury’s damages award herein, and if any, whether defendants preserved their recourse to a new trial on damages. Under the Order, defendants’ brief would be due later this

month, and DDR's response due thereafter, followed by a reply. The Order also required the parties to mediate the case, which happened already before the mandate, by agreement of the parties.

In view of the resolution of this matter through mediation, the Court's December 9th Order has become unnecessary, so the parties respectfully request that the Court vacate it.

RESPECTFULLY SUBMITTED this 11th day of February, 2015.

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***ATTORNEYS FOR PLAINTIFF  
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**CERTIFICATE OF CONFERENCE**

This is to certify that the undersigned counsel conferred with defendants' counsel to bring this joint motion before the Court.

/s/Louis J. Hoffman  
Louis J. Hoffman

**CERTIFICATE OF SERVICE**

I certify that this document was filed electronically pursuant to Local Rule CV-5(a) on February 11, 2015. Pursuant to Local Rule CV-5(a)(3)(A), this electronic filing acts to electronically serve all counsel who have consented to electronic service via the Court's CM/ECF system and in addition has been served electronically pursuant to the Electronic Service Agreement.

/s/Louis J. Hoffman  
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